

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Art Unit: 1623
)	
GANDHI, et al.)	Examiner: PESELEV, E.
)	
Serial No.: 10/529,393)	Washington, D.C.
)	
Filed: January 31, 2006)	August 28, 2008
)	
For: GLYCOSYLCERAMIDE)	Docket No.: GANDHI=1A
ANALOGUES)	
)	Confirmation No.: 6722

ELECTION WITH TRAVERSE

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S i r :

In response to the restriction requirement mailed June 11, 2008, please enter the following remarks.

1. Interview Summary Record. We thank the Examiner for the telephonic interview conducted on August 20, at which it was agreed (1) claim 51, being dependent on claim 50, should be in group V, and (2) the reference in the species restriction on page 3 to "the compound of claim 50" was erroneous, claim 50 being a subgeneric claim covering many compounds, including the compound of claim 51.

2. Applicant elect group V (claims 43-51), with traverse.

The formula F-1F of claim 43 (group V) overlaps with formula F-A (claim 1, group I), formula F-AF (claim 36, group IV), and formula F-4B (claim 52, group VI), as can be seen from the following table:

claim 43 (V) (formula F-1F)		claim 36 (IV) (formula F-AF)	claim 52 (VI) (formula F-4B)	claim 1(I) (formula F-A)
R3	(A) -Z-R3", (B) -X-CF2-R3", (C) -Z(-R3b) - R3",	- (Z) ₀₋₁ -CF2- R3'	-Z3-R3'	-CH2-R3' or -C(=Ch), -R3
Z	linker moiety consisting of one or more alkyl moieties and/or one or more spacers	single spacer, -spacer- CH2- spacer, or spacer cluster	Z3, which is linker moiety consisting of one or more alkanyl moieties and/or one or more spacers	note that - CH2- is alkyl -C(=Ch) is spacer
R3"	for (B), primarily alkanyl	R3', which is primarily alkyl (includes alkanyl)	R3', which is primarily alkyl	R3' <u>can be</u> primarily alkyl
R2	hydrogen, primarily alkanyl, or -(spacer)- primarily alkanyl	hydrogen or organic moiety	same as for claim 43	hydrogen or organic moiety consisting of at least one primarily alkyl moiety and optionally one or more spacers
unnamed N substi- tuent	-CH(-CH(OH)R1) -CH2-O-R; R comprises <u>carbohydrate</u> , R1 is primarily alkyl or - (spacer)- primarily alkyl	J, which is organic moiety comprising at least one <u>sugar</u> <u>unit</u> and/or at least one Pet unit	-CH(- CH(OR4)R1) -CH2-O-R, wherein R1 can be -Z1- R1 and Z1 <u>can be a</u> <u>spacer</u> and R1' is primarily alkyl; and R4 <u>can be</u> <u>hydrogen</u> ; R comprise carbohydrate	-CH(-A -CH2-CH-R A is organic moiety like R2 above, R <u>can comprise</u> <u>carbohydrate</u> .

We therefore respectfully submit that groups V, I, IV and

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VI form a group of related inventions within the meaning of PCT rule 13.1, and consequently groups I, IV and VI should be rejoined.

The mere fact that these claims include some structurally distinct compounds is not, by itself, proper basis for a holding of lack of unity cp. the markush practice under PCT Administrative Instructions, Annex B, paragraph (f) ("common structure" provides unity).

3. In response to the species restriction, applicants elect the compound of claim 51 with traverse. Traversal is on the basis that a generic claim is allowable.

Respectfully submitted,

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